

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CUAUHTEMOC MENESES,
Plaintiff,
v.
U-HAUL INTERNATIONAL,
Defendant(s).

No. C-11-03615 DMR

**ORDER DENYING PLAINTIFF'S
MOTION FOR LEAVE TO FILE FIRST
AMENDED COMPLAINT WITHOUT
PREJUDICE; SETTING BRIEFING
SCHEDULE; AND SETTING FURTHER
CASE MANAGEMENT CONFERENCE**

The court DENIES Plaintiff's Motion for Leave to File First Amended Complaint without prejudice. To address the jurisdictional and case management issues in this matter, the court further ORDERS the following briefing schedules:

1. The parties shall meet and confer to discuss how the *Richard* settlement agreement applies or does not apply to Plaintiff's various claims. If the parties reach an agreement, no later than **January 31, 2012**, they shall file a joint letter setting forth their interpretation and reasoning supporting it; if they do not reach an agreement, by the same date the parties shall file a joint letter setting forth Plaintiff's and Defendants' arguments, respectively. The letter shall be single spaced and no longer than ten pages.

2. Plaintiff shall file a brief by **January 19, 2012** explaining his basis for standing and subject matter jurisdiction to pursue claims possibly covered by *Richards* and those possibly not covered. The discussion shall include an analysis of how Plaintiff has standing to pursue claims

1 regarding U-Haul facilities that he has not personally visited. Defendants shall file an opposition to
 2 Plaintiff's brief by **February 2, 2012**, and Plaintiff a reply by **February 9, 2012**.

3 3. The parties shall meet and confer to draft a case management plan, which they shall file no
 4 later than **January 31, 2012**. The letter shall be single spaced and no longer than ten pages, and
 5 shall set forth either the parties' joint proposed plan, or each party's separately proposed plan.

6 4. The parties also shall meet and confer to discuss the alleged ADA violations at all fifty U-
 7 Haul facilities identified by Plaintiff. The parties shall investigate and prepare to discuss in detail
 8 the specifics of the alleged violations, the time frame of the alleged violations and whether and
 9 when any material changes to the facilities have occurred to address the alleged violations.

10 5. The parties shall appear before the court on **February 23, 2012** for a hearing concerning
 11 the interpretation of *Richard's* applicability to this case, Plaintiff's standing and the Court's subject
 12 matter jurisdiction, and case management.

13 IT IS SO ORDERED.

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 15 Dated: December 22, 2011

